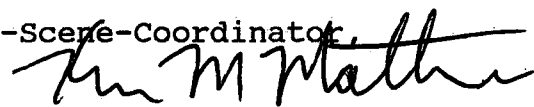


U.S. ENVIRONMENTAL PROTECTION AGENCY
PROGRESS POLLUTION REPORT

I. HEADING

Date: August 1, 1994
From: Kevin Matheis, On-Scene-Coordinator, 
USEPA, REGION II
To: J. Fox, EPA
W. Muszynski, EPA
K. Callahan, EPA
G. Pavlou, EPA
R. Salkie, EPA
G. Zachos, EPA
J. Rotola, EPA
ERD, Washington, (E-Mail)
J. Marshall, EPA
M. Basile, EPA Niagara Falls
E. Schaaf, EPA
E. Kissel, EPA
I. Purdy, EPA-HWFB
R. Burns, EPA-OIG
A. Rockmore, NYSDEC
F. Shattuck, NYSDEC IX
P. Simon, EPA
S. Becker, EPA
M. Jon, EPA HWFB
M. O'Toole, NYSDEC
TAT

Subject: Frontier Chemical Processes, Inc. (Tank Action),
Niagara Falls, Niagara County, NY - Cyanides,
Corrosives, Halogenated & Non-Halogenated Solvents

POLREP NO: Three (3)

II. BACKGROUND

SITE/SPILL NO.: CD
D.O. NO.: 2001-02-034
RESPONSE AUTHORITY: CERCLA/SARA
NPL STATUS: Non-NPL
START DATE: May 16, 1994
APPROVAL STATUS: Authorization of Funding from
Assistant Administ. Elliott P. Laws

STATUS OF \$2 MILLION/
12 MONTH EXEMPTION
ACTION MEMORANDUM: Signed March 30, 1994
CONSENT ORDER STATUS: Signed by Regional Administrator
EFFECTIVE DATE OF
CONSENT ORDER: July 11, 1994
CONSENT ORDER INDEX #: II-CERCLA-94-0205

III. RESPONSE INFORMATION

A. Actions Taken

1. The Consent Order was transmitted to the PRPs and received by the steering committee chairman on July 11. The OSC met with the PRP consultant on July 11 marking the start date for the project.
2. On July 13, the OSC, ORC, RAB Section and Branch Chiefs met with 20 PRP technical and executive steering committee members. The PRPs requested that the OSC brief all the PRPs about the incorporation of the bulk waste shipments into the data base and provide an overall site briefing for the benefit of the recently noticed PRPs. This meeting was followed by a tour of the site.
3. The PRPs requested that they be allowed to submit a phased work plan. The phase one work plan would consist of a maintenance and security plan, sampling plan, QA/QC plan, health and safety plan, work plan implementation schedule, and logistical plan. This plan would allow the PRP consultant to sample the tanks and obtain analysis and disposal approvals. In addition, this would allow the PRPs to take over all maintenance activities from EPA. The PRPs would then submit a removal action plan upon receipt of disposal approvals. This removal plan would encompass all aspects of the tank waste, piping removal, and decontamination procedures. The phase one work plan is due on July 27. Per request, the OSC provided the PRP consultant with considerable background information.
4. The PRPs have selected and retained their designated coordinator and cleanup consultant, Blasland, Bouck & Lee of Rochester, NY. The PRPs submitted their work plan to EPA on July 27. This work plan encompasses sampling, maintenance, QA/QC information, and the sampling health and safety plan. The plan is being reviewed by EPA.
5. The PRP inventory was updated to include bulk waste shipments that were not incorporated in the waste-in list for the site, and therefore these PRPs required notification with respect to their current status and volume. On July 20, letters were issued to 12 PRPs that were previously non-de minimis and are now de minimis. This letter included the revised waste-in list and revised de minimis consent order. Signatures from these PRPs are due to EPA by August 19. On July 20, a letter was sent to 272 de minimis PRPs that still retain de minimis status. The de minimis PRPs were provided with a revised waste-in list and allocation table, a revised de minimis consent order and records from the site that confirm their PRP status. All de minimis parties must sign

the de minimis consent order by August 19. On July 22 and July 25, Notice Letters of Potential Liability were sent to 9 newly identified PRPs that were a result of the bulk waste shipment incorporation. These PRPs received the notice letter, revised de minimis consent agreement, and waste-in list with allocations. These PRPs have until August 19 to sign the consent order. On July 25, deletion letters were sent to 123 companies that were deleted as a result of the waste-in list revision.

6. PSB and the ESS contractor are staffing the information phone line and have coordinated the mailings. In addition, PSB and ESS are now responding to all FOIA requests.
7. The PRPs still anticipate taking over all maintenance at the site during the week of August 8. The PRPs intend to rehire the Frontier maintenance employees currently working at the site. The OSC has issued a demobilization order to OHM.
8. The tracing of all tank piping has been completed. ERCS is implementing tasks associated with the forthcoming demobilization. In anticipation of the termination of the POTW permit, a sample of the storm water holding tanks will be analyzed for acceptance of discharge into the POTW. A final quarterly sample from the monitoring station will also be collected and analyzed.

B. Future Actions

1. Work will proceed upon approval of the work plan. The PRPs are anticipating taking over the maintenance of the facility on August 8. Sampling should occur starting the week of August 15. The tank waste removal should begin in late September, upon receipt of disposal analysis and approvals.

C. Key Issues

The non-complying PRPs will be evaluated on a case-by-case basis to determine if EPA will issue a 106 Unilateral Order to the PRPs to cooperate and participate with the consenting PRPs.

IV. COST INFORMATION:

	Amount Budgeted	Cost To Date (As of 07/30/94)	Amount Remaining
Cleanup Contractor			
OHM Remediation	\$ 200,000	\$180,000	\$ 20,000
<u>EPA/TAT</u>	<u>\$ 300,000</u>	<u>\$ 80,000(EST)</u>	<u>\$ 220,000</u>
SITE TOTAL	\$ 500,000	\$260,000	\$ 240,000